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3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

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Fax Transmission | November 9, 2004TO: Commissioner for Patents
Patent Examining Corps
Facsimile Center
Alexandria, VA 22313-1450

FROM: John J. Gresens

OUR REF: 7885.76USWO
TELEPHONE: 612.371-5265USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 11.

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. Petition for Revival of Unavoidably Abandoned Application in Accordance with 37 C.F.R. § 1.137(a).
2. Declaration of Jodi Gandel-Klein in Support of Petition to Revive Unavoidably Abandoned Application in Accordance with 37 C.F.R. § 1.137(a).Applicant: Jarle Breivik
Serial No.: 09/831,536
Filed: July 5, 2001
Group Art Unit: 1631Our Ref. No.: 7885.76USWO
Confirmation No.: 5960
Customer No.: 23552

Please charge any additional fees required for entry of the attached papers or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:
Name: John J. Gresens
Reg. No.: 33,112
JJG/AMM:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

SignatureNovember 9, 2004
Date

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S/N 09/831,536

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jarle Breivik	Examiner:	Unknown
Serial No.:	09/831,536	Group Art Unit:	1631
Filed:	July 5, 2001	Docket No.:	7885.76USWO
Customer No.:	23552	Confirmation No.	5960
Title:	Simulation of Chemical Interactions		

CERTIFICATE UNDER 37 CFR 1.6(d):

The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2004.

By: Patricia L. Larrimore

Name:

**PETITION FOR REVIVAL OF UNAVOIDABLY ABANDONED APPLICATION IN
ACCORDANCE WITH 37 C.F.R. § 1.137(a)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This petition is being submitted in response to the Notice of Abandonment dated September 9, 2004. Remarks begin on page 2 of this paper.

Consideration of this petition for revival under 37 C.F.R. § 1.137(a) is respectfully requested. Application Serial Number 09/831,536 is abandoned for failure to timely file proper reply to the Office Action mailed on October 3, 2003.

Applicants assert that an Office Action was never received, and therefore no reply was made. A communication regarding a Change of Correspondence Address was filed with the USPTO on October 4, 2001. A Status Inquiry was filed with the USPTO on January 3, 2003. No correspondence was received from the U.S. Patent and Trademark Office by Applicant's representative during that time period.

Anne M. Murphy (Reg. No. 54,327)¹ discussed the case with Examiner Zhou on November 8, 2004. Examiner Zhou indicated that the Change of Address had been received, but that the Office Action had been mailed to the previous correspondence address.

To establish non-receipt of the Office Action, the following showing is made:

- The Office Action dated October 3, 2003, was not received by John J. Gresens, at Merchant & Gould.
- A search of the file jacket and docketing records indicates that the Office Action dated October 3, 2003, was not received.
- A Declaration of Jodi Gandel-Klein in Support of Petition to Withdraw Holding of Abandonment
- A copy of the docket record for Application Serial No. 09/831,536, from October 2003 to January 2004 is attached.
- In addition, the docket report for the docket attorney, John J. Gresens, of January 3, 2004 is attached.

This petition is made under 37 C.F.R. § 1.137(a) based on unavoidable delay. Due care was taken to adhere to the requirement for prompt notification regarding a change of correspondence address in the present application. A separate paper was filed in a timely, in a

¹ Attorney associated with USPTO Customer No. 23552. Customer No. 23552 is associated with this matter.

manner reasonably calculated to call attention to the notification of the Change of Address. Grant of this petition for revival on the basis of unavoidable delay is respectfully requested.

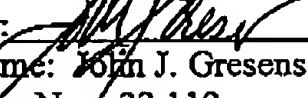
The Director is hereby authorized to charge the petition fee under 1.17(l) in the amount of \$110.00, to Deposit Account No. 13-2725.

If the present petition cannot be granted under 37 C.F.R. § 1.137(a), grant of the petition is requested under 37 C.F.R. 1.137(b) based on unintentional delay. If the petition is to be granted under 37 C.F.R. 1.137(b), Applicant's representatives request that they be contacted at the telephone number listed below.

The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 9, 2004

By: 
Name: John J. Gresens
Reg. No.: 33,112
JJG/RAK:pll

Attachments as above-stated.